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16 **UNITED STATES DISTRICT COURT**
17 **NORTHERN DISTRICT OF CALIFORNIA**
18 **SAN FRANCISCO DIVISION**

20 IN RE: UBER TECHNOLOGIES, INC.,
21 PASSENGER SEXUAL ASSAULT
LITIGATION

Case No. 3:23-md-03084-CRB

22 **DECLARATION OF KYLE SMITH
REGARDING SERVICE OF ORDER RE
WITHDRAWAL OF COUNSEL**

23 This Document Relates to:

Judge: Hon. Charles R. Beyer
Courtroom: 6 – 17th Floor

24 *S.A. v. Uber Technologies, Inc.*,
Case No. 3:24-cv-02845-CRB

25 *Z.W. v. Uber Technologies, Inc.*,
Case No. 3:24-cv-02844-CRB

26 *K.H. v. Uber Technologies, Inc.*,
Case No. 3:24-cv-02840-CRB

28 **SMITH DECLARATION REGARDING SERVICE OF
ORDER RE WITHDRAWAL OF COUNSEL**

Case No. 3:23-md-03084-CRB

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DECLARATION OF KYLE SMITH

I, Kyle Smith, declare pursuant to 28 U.S.C. § 1746:

1. I am over the age of 18 and am a resident of Arlington, Virginia. I respectfully submit this declaration explaining how Uber served a copy of the Court’s September 26, 2024 Order re: Withdrawal of Counsel, ECF 1675, on Plaintiffs S.A., Z.W., and K.H. (collectively referred to herein as “Plaintiffs”).

2. I am a partner at the law firm of Paul, Weiss, Rifkind, Wharton & Garrison LLP, representing Defendants Uber Technologies, Inc., Rasier, LLC, and Rasier-CA, LLC (“Uber”) in this MDL as well as in Judicial Council Coordination Proceeding No. 5188, *In Re: Uber Rideshare Cases*, Case No. CJC-21-005188. I am a member in good standing of the Bar of the District of Columbia Court of Appeals and the Bar of the State of New York, Appellate Division, Third Department. I make this declaration based upon matters within my own personal knowledge. If called as a witness, I could and would competently testify to the matters set forth herein.

3. Plaintiffs submitted Plaintiff Fact Sheets providing Uber with physical mailing addresses for all three Plaintiffs and email addresses for Plaintiffs Z.W. and K.H.

4. On October 1, 2024, counsel for Uber emailed former counsel for Plaintiffs, Potter Handy LLP (“Potter Handy”), identifying these three physical mailing addresses and two email addresses. Uber requested that Potter Handy inform Uber of any different physical mailing or email addresses to which Uber should send the Court’s Order.

5. Later on October 1, 2024, Potter Handy responded by providing an email address for S.A. and providing a correction to S.A.'s physical mailing address. Potter Handy did not provide any corrections to the physical mailing addresses or email addresses identified by Uber for Plaintiffs Z.W. and K.H. Potter Handy did not identify any alternate addresses that Uber should use when attempting to contact Plaintiffs.

6. On October 2, 2024, counsel for Uber served Plaintiff S.A. with the letter attached to this declaration as **Exhibit A**. Exhibit 2 of that letter contains the Court's September 26, 2024 Order re: Withdrawal of Counsel.

1 7. Counsel for Uber served Plaintiff S.A. with this letter via three different methods
2 on October 2, 2024: (1) producing the letter to S.A.'s MDL Centrality profile, (2) emailing the
3 letter to the email address identified by Potter Handy, and (3) depositing the letter for delivery via
4 certified mail to the physical mailing address provided by Potter Handy.

5 8. On October 2, 2024, counsel for Uber served Plaintiff Z.W. with the letter attached
6 to this declaration as **Exhibit B**. Exhibit 2 of that letter contains the Court's September 26, 2024
7 Order re: Withdrawal of Counsel

8 9. Counsel for Uber served Plaintiff Z.W. with this letter via three different methods
9 on October 2, 2024: (1) producing the letter to Z.W.'s MDL Centrality profile, (2) emailing the
10 letter to the email address identified in Z.W.'s Plaintiff Fact Sheet, and (3) depositing the letter for
11 delivery via certified mail to the physical mailing address identified in Z.W.'s Plaintiff Fact Sheet.

12 10. On October 2, 2024, counsel for Uber served Plaintiff K.H. with the letter attached
13 to this declaration as **Exhibit C**. Exhibit 2 of that letter contains the Court's September 26, 2024
14 Order re: Withdrawal of Counsel.

15 11. Counsel for Uber served Plaintiff K.H. with this letter via three different methods
16 on October 2, 2024: (1) producing the letter to Plaintiff K.H.'s MDL Centrality profile, (2)
17 emailing the letter to the email address identified in K.H.'s Plaintiff Fact Sheet, and (3) depositing
18 the letter for delivery via certified mail to the physical mailing address in K.H.'s Plaintiff Fact
19 Sheet.

20 I declare under penalty of perjury that the foregoing is true and correct.

21 || Executed on October 3, 2024, in Arlington, Virginia.

/s/ *Kyle Smith*
Kyle Smith